

REMARKS

This response is prepared in reply to the Office action mailed on 10 January 2008 (Paper No. 010).

The claims have been variously rejected under 35 USC 102 as anticipated by Buttitta (U.S. Patent No. 5,913,166) are under 35 USC 103 as obvious over Buttitta in view of Bartle (U.S. Patent No. 6,018,655) for the reasons stated in sections 4 and 5 on pages 3-10 of the Office Action.

By this Amendment, independent claims 25, 28, and 30 have been revised so as to clarify the recited features of the present invention. It is submitted that all of the present claims are patentable over the applied references, taken either alone or in combination, for the following reasons:

In the Examiner's rejections of the claims, the Examiner states: "When the mobile station (10) connects with the cellular system, the mobile station (10) is not registered (or connected) with the private base station."

However, the Examiner has apparently overlooked a phrase present in independent claims 25, 28, and 30. Namely, claims 25 and 30 recite "receiving power-related information transmitted from a mobile station during a call" (emphasis added) and claim 28 recites

"receiving power-related information in the base station during a call, the power-related information . . . transmitted from the mobile station to the base station" (emphasis added).

That is, the various recited steps being performed occur during a call and not before or after a call. Thus, the Examiner's argument that the mobile station is not registered or connected with the private base station prior to the call is irrelevant since the claims specifically recite that the various recited steps are performed during a call.

In order to clarify this fact, independent claims 25, 28, and 30 have been revised so as to now recite "determining whether the mobile station has been registered" and performing various steps "upon a determination that the mobile station has been registered (or has not been registered) in the private radio mobile communications system".

Since neither applied reference teaches or suggests determining whether the mobile station has been registered in the private wireless communications service system during a call, it is submitted that the present claims are patentable over the applied art and should therefore now be in a condition suitable for allowance.

No other issues remaining, reconsideration and favorable action upon all the claims now present in the application is respectfully requested. Should any questions remain unresolved, the Examiner is requested to telephone Applicant's undersigned attorney.

No fee is incurred by this Amendment.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robert E. Bushnell", is written over a horizontal line.

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